

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**Lydia Garcia, individually and on behalf of all  
others similarly situated,**

**Plaintiffs.**

**-V-**

**Jakks Pacific, Inc., et al,**

**Defendants.**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/4/05

Case No. 04-cv-8807 (KMK)

ORDER

KENNETH M. KARAS, District Judge:

Counsel for the parties are scheduled to appear before the Court for a status conference at noon on January 25, 2005.

The Court is aware that certain plaintiffs seek to move to serve as lead plaintiffs in this and other related cases. (See Letter from Alba to Judge Karas of Jan. 3, 2005, attached to this Order.) Accordingly, it is hereby

ORDERED that the time to file lead plaintiff motions is stayed until the January 25, 2005 conference. It is further

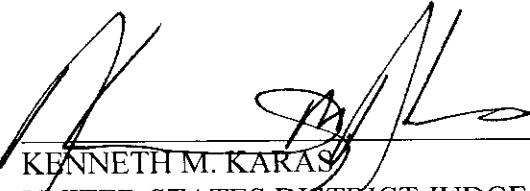
ORDERED that counsel seeking to file such motions must submit a pre-motion letter consistent with the Court's Individual Practices no later than **Wednesday, January 12, 2005**. It is further

ORDERED that any party opposing the motion shall submit a response letter no later than **Monday, January 17, 2005**.

The Court will address any letters filed at the status conference on January 25, 2005, which it will treat as a pre-motion conference, and will set a briefing schedule, if appropriate, at that time.

SO ORDERED.

Dated: January 4, 2005  
New York, New York

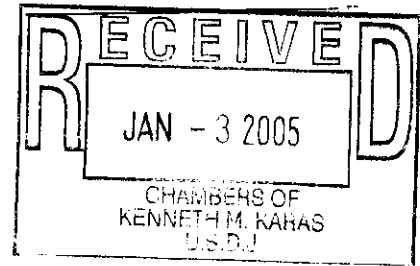
  
KENNETH M. KARAS  
UNITED STATES DISTRICT JUDGE

**Counsel for the Plaintiff shall confirm that all parties are aware of this conference.**



SAN DIEGO • SAN FRANCISCO  
LOS ANGELES • NEW YORK • BOCA RATON  
WASHINGTON, DC • HOUSTON  
PHILADELPHIA • SEATTLE

Mario Alba, Jr.  
malba@lerachlaw.com



January 3, 2005

VIA FACSIMILE

Honorable Kenneth M. Karas  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 920  
New York, NY 10007

Re: *Lydia Garcia v. Jakks Pacific, Inc., et al.*, 1:04-CV-8807 (KMK) and all related cases

Dear Judge Karas:

My firm has recently been retained to represent certain investors who wish to make a motion for appointment as lead plaintiff in the above-referenced actions. Pursuant to the Private Securities Litigation Reform Act of 1995, this motion must be made by any class member who wishes to seek appointment as a lead plaintiff, whether or not they have previously filed a complaint in these actions, no later than 60 days following the publication of the first notice that was issued advising investors of the pendency of these actions, 15 U.S.C. §§ 78u-4(a)(3)(A) and (B). This notice was issued on November 5, 2004; accordingly, our clients must file their motion no later than tomorrow, January 4, 2005.

Your Honor's Individual Practices, however, require that "For motions other than discovery motions, a pre-motion conference with the Court is required for any motion except motions brought on by ...". Because of the strict deadline imposed by the PSLRA, we respectfully request leave from complying with this practice so that we may file our motion tomorrow. We apologize for not requesting a pre-motion conference at an earlier date, but our clients only very recently advised us that they wish to seek appointment as lead plaintiffs.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mario Alba, Jr." with a stylized flourish at the end.  
Mario Alba, Jr.

cc: attached service list (by facsimile)

## SERVICE LIST

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# LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP

## FACSIMILE

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Page -2 - Facsimile

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**From:** Mario Alba, Jr. **Date:** 01/03/05  
**Case Code:** 040446-00001 **Time:** 4:40 pm  
**Subject:** *Lydia Garcia v. Jakks Pacific, Inc., et al.*, 04-CV-8807 (KMK)

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**Message/Document(s) faxed:**

Please see attached letter.

**Please call fax operator at 619-231-1058 if all pages are not received.**

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